



Human Rights & Grievance Mechanisms

Improving the accessibility and effectiveness of grievance mechanisms on business and human rights for communities, individuals and civil society organisations

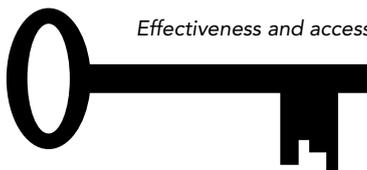


Summary of four-year SOMO programme funded by the Dutch Ministry of Foreign Affairs, Human Rights Fund, 2012-2015

Introduction

Recent decades have seen a substantial increase in multinational corporate activity in Africa, Asia and Latin America. Some of these activities have led or contributed to violations of the human rights of workers, communities and individuals in the Global South. Non-judicial grievance mechanisms offer possibilities for addressing such human rights abuses and improving the human rights policies and practices of multinational corporations. Non-judicial mechanisms play an essential role in complementing and supplementing the often more expensive and time-consuming legal forms of addressing corporate misconduct.

Non-judicial grievance mechanisms exist at the intergovernmental, regional, national, sectoral and company level. They can be used by victims of business-related human rights abuses and/or by civil society organisations interested in addressing and preventing such abuses. Unfortunately, these mechanisms do not always function effectively and can be difficult to access, especially for victims who lack knowledge about the existence of the mechanisms as well as the resources and capacity to use them.



Effectiveness and access to grievance mechanisms...

With this four-year programme, SOMO aims to improve the accessibility and effectiveness of non-judicial grievance mechanisms for stakeholders who experience adverse impacts on their human rights as a result of business activities. The beneficiaries of the programme are thus negatively impacted workers, communities and individuals, as well as the civil society organisations seeking to address and prevent human rights abuses related to corporate activity. At the end of the programme they will be better equipped with knowledge and practical tools to effectively file complaints at the right grievance mechanism. At the same time SOMO will address policy- and decision makers to advocate for improved and new grievance mechanisms to ensure better access to remedies and respect for human rights.

Programme objectives

- **Capacity building**
Strengthen the capacity of adversely affected workers, communities and individuals, as well as civil society organisations seeking to address and prevent human rights abuses, to apply grievance mechanisms governing business and human rights.
- **Effective and accessible grievance mechanisms**
Improve the effectiveness of and access to grievance mechanisms for stakeholders who experience adverse human rights impacts as a result of business activities.
- **Advocacy**
Improve national and international normative and regulatory frameworks to strengthen existing grievance mechanisms and develop new mechanisms at the appropriate levels to ensure the protection of human rights and adequate access to remedies.

Context

The increased corporate activity worldwide has gone hand in hand with a dramatic increase of the power and influence of multinational corporations relative to sovereign states. In order to ensure that business activity genuinely contributes to poverty reduction and sustainable development with respect for human rights, civil society must be strong, well informed, and able to provide a countervailing power to increasingly influential corporate actors. Civil society thus requires sufficient knowledge and capacity, as well as accessible and effective instruments for redress, to enable it to influence policy and raise awareness related to the impact of international business on human rights.

In 2008, the United Nations (UN) adopted an important framework for business and human rights known as the 'Protect, Respect and Remedy' framework. Building on this, the UN Guiding Principles on Business and Human Rights were adopted in 2011. The Guiding Principles specify the obligations of governments to protect human rights, the responsibility of business to respect human rights, and the need for effective access to remedies. It is in this context that the SOMO programme will seek to improve access to remedies through non-judicial grievance mechanisms.

Approach and methods

- Mapping of the various non-judicial grievance mechanisms and developing a practical, user-centred guide for selecting the correct grievance mechanism.
- Use of a 'train-the-trainer' methodology to train Southern partner organisations in
 - making better use of grievance mechanisms,
 - assisting and supporting communities and individuals in filing complaints using grievance mechanisms, and
 - providing training to other organisations within their region.
- Research by SOMO and partner organisations on the impacts of multinational corporations on human rights to support complaints using grievance mechanisms.
- Technical advice and support for organisations filing complaints using grievance mechanisms and support for human rights defenders through legal advice and capacity building to protect them from retaliation and litigation by corporate actors.
- Research into the accessibility and effectiveness of non-judicial grievance mechanisms, including
 - conducting a gap analysis and
 - formulating recommendations on how to improve the access and effectiveness of existing non-judicial grievance mechanisms.
- Advocacy toward decision-makers in order to improve access to and effectiveness of grievance mechanisms and to develop proposals for new mechanisms to fill existing gaps in the provision of remedies.

The programme builds on the extensive knowledge of SOMO and its partners on human rights issues related to business activities in developing countries as well as their experience with grievance mechanisms through, in particular, the OECD Watch network. The programme provides scope for cooperation with and support for civil society organisations worldwide to help them improve the effectiveness of and access to redress mechanisms in their country or region.



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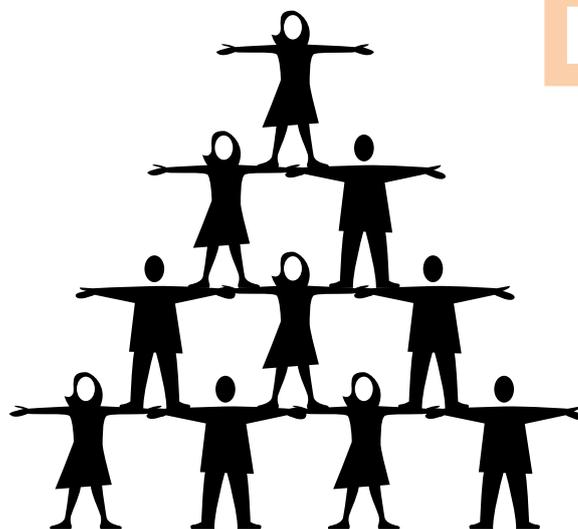
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Partners

The programme will be executed by SOMO in partnership with organisations from the Global South and other international partners with experience in supporting civil society organisations seeking to address corporate-related human rights abuses. Project partners include: ACIDH (DRC); BWI (Indonesia); CEREAL (Mexico); Cividep (India); CSRSC (South Africa); Grapad (Benin); KHRC (Kenya); WAC (Philippines); ICN and Wemos (Netherlands) and RAID (UK).

Throughout the four-year programme, SOMO will collaborate closely with the University of Melbourne's Redress Mechanisms Project, which analyses and evaluates redress mechanisms governing the human rights practices of transnational business.



Capacity building...

Interested?

If you are interested in receiving more information on this programme, please sign up for the mailing list by sending an e-mail to d.koppes@somo.nl

About SOMO

SOMO is an independent, non-profit research and network organisation that promotes sustainable and fair global economic development and the elimination of the structural causes of poverty, environmental problems, exploitation and inequality.

